



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009621

Applicant Name: Mark Travers

Address of Proposal: 12721 30th Avenue N.E.

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 25,697 sq. ft. and B) 24,800 sq. ft. The existing structures are to remain.

The following approval is required:

Short Subdivision - to create two parcels of land. (SMC Chapter 23.24).

BACKGROUND DATA

Zoning: C1-65.

Uses on Site: Two Commercial buildings.

Substantive Site Characteristics

This 50,497 square foot project site is located in the Lake City Neighborhood of the City of Seattle. This project site is in a Commercial One zone with a maximum height limit of 65-feet (C1-65'). Two existing commercial buildings are to remain on site. This site is located on 30th Ave. N.E. between N.E. 127th Street to the south and N.E. 130th Street to the north approximately a block west of Lake City Way N.E. 30th Avenue is a paved arterial with sidewalks, curbs and gutters on a portion of the west side of the street and all of the east side of the street. The site is a through lot with the west property line on 28th Ave. N.E. which is a partially developed paved street. Commercial zoning with a 65-foot height limit (C1-65) is located to the northeast and southwest of the site. To the east and south the subject property is zoned Neighborhood Commercial Three, with a height limits, of 65-feet and 85-feet NC3-65'/NC3-85'). Lowrise multifamily residential (L2 and L3) zoning is located to the north and southwest. The lot does not have alley access. There is a mixture of multifamily, single family, and commercial development in the immediate area.

Public Comment

No written comment letters were received during the comment period that ended on February 11th, 2009.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following (applicable) criteria to determine whether to grant condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection, as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees.*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing, and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), and Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in a mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. Tree and other landscaping requirements were considered under the building permit review. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

1. *Conformance to the applicable Land Use Code provisions;*

The parcels created by this proposed division of land would conform to all development standards of the C1-65' zone. The lot configurations provide adequate buildable area, for the two existing structures, to meet applicable density, setbacks, lot coverage requirements and other land use code development standards for the Commercial zone. Each new parcel will have direct pedestrian access to the street. Required parking will be adequately accommodated on each individual lot.

2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

Each of the proposed parcels will have adequate access for vehicles, utilities and fire protection through use of ingress, egress, parking and utilities easements. Seattle City Light has reviewed and approved this application. The Seattle Fire Department reviewed and approved this proposal.

Proposed parcel A fronts on a fully improved public right-of-way and has access from said right-of-way, (30th Avenue N.E). Proposed parcel B fronts on 28th Avenue N.E. which is a partially developed paved street. Vehicular access for both parcels will be determined at time of building permit.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Sanitary Sewer:

The existing property is connected with a side sewer to an 8-inch public combined sanitary sewer main located in 28th Ave. N.E.

Drainage:

The existing property is served by an 18-inch public storm main located in 28th Ave. N.E.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, **No. 20090054 on January 30th, 2009**. All conditions on the certificate must be met prior to receiving water service.

While the storm drain is located in the Salmon Watershed, no impacts are expected, due to no changes in development. Existing situation is to remain.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short plat meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

This site is not mapped environmentally critical areas.

6. *Is designed to maximize the retention of existing trees;*

Not applicable as there are no existing trees on this lot.

7. *Conformance to the provisions of Section 23.24.045 Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing; and*

Section 23.24.045 is not applicable because the proposed short subdivision is not for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat "For conditions of approval after recording see page ____ of ____."
2. Provide on the plat any required Seattle City Light easement.
3. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
4. Include the following on the face of the plat: "The lots created by unit subdivision are not separate buildable lots. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code."

5. Submit the recording fee and final recording forms for approval.
6. Prior to recording, a sidesewer easement "along the line as-constructed" shall be provided for the existing sidesewer.
7. Include the required easement language provided by Seattle City Light (existing easement) on the face of the final plat and in the legal description of the affected parcels.
8. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.
9. For sanitary sewer and drainage, if joint use of utilities is proposed, please include joint use and maintenance language. Private Easement would be necessary, if private services cross property lines. Please revise the plat accordingly.

After Recording and Prior to Issuance of a Building Permit

10. Attach a copy of the recorded short plat with the building plan upon application for a construction permit.

Signature: _____ (signature on file)
Joan Carson, Land Use Planner II
Department of Planning and Development

Date: June 18, 2009